RECEIVED CENTRAL FAX CENTER JUN 3 0 2004

GRAYCARY

153 Townsend Street, Suite 800 San Francisco, CA 94107-1907 www.graycary.com

> O] 415-836-2500 F] 415-836-2501

June 30, 2004

FAX TRANSMISSION COVER SHEET

<u>To:</u>

Telephone:

Fax Number:

Attn.: Group Art Unit 1645

(571) 272-0866

(703) 872-9306

United States Patent and Trademark

Office

From:

Re:

Nan Wu

415-836-2531

Client-Matter Number:

2101363-991100

U.S. Appln. No. 09/881,823 Filing Date: June 15, 2001

Examiner: Robert Zeman

Title: DNA MOLECULES RECOMBINANT DNA MOLECULES FOR PRODUCING

HUMANIZED MONOCLONAL ANTIBODIES 10 S. MUTANS

Pages: - 25 - (including this form)

Originals:

will be mailed

will not be mailed

If there is a problem with this transmission, please call (415)

Fax Operator/Ext.

Message:

Please see attached response for filing.

CONFIDENTIALITY NOTICE

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable I: w. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you

(Form Rev. 6/5/00)

Under the Paperw	ork Reduction Act of 1995, re	persons are required	Patent and Traden	PTO/SB/21 (08-03) ved for use through 07/31/2005, QMB 0851-0031 lark Office: U.S. DEPARTMENT OF COMMERCE on unless il displays a valld OMB control number.				
			Application Number	09/881,823				
TRANSMITTAL			Filing Date	June 15, 2001				
	FORM		First Named Inventor	Wenyuan Shi				
(to be used fo	v all comespondence affor	r initial filing)	Art Unit	1645				
	_		Examiner N line	Robert Zeman				
Total Number of I	Pages in This Submission	24	Attorney Dcoket Number	2101363-991100				
		ENCLO\$	URES (chick all that apply					
Fee Transmit	tal Form)gnlwsrCi	(5)	After Allowance communication to Group				
Fee A	attached	Licensing	related Paper	Appeal Communication to Board of Appeals and Interferences				
Amendment	/ Reply	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
X Afte	r Final		ó Convert a nal Application	Proprietery Information				
Affic	lavits/declaration(s)		Attorney, Reversition of Corresponde (c					
Extension of	Time Request	[Ferminal	Disdaimer	Other Enclosure(s) (please Identify below):				
Express Aba	Express Abandonment Request Request			Appendix - Exhibits A & B Deposit Account Authorization Facsimite Certificate				
Information C	Information Disclosure Statement CD, Nun							
Certified Co	py of Priority	Remerks						
Response to	o Missing Parts/	Typinging	_					
Incomplete .	Application ponse to Missing Parts							
Ll und	er 37 CFR 1.52 or 1.53		·	•				
	SIGNATU	RE OF APPLICA	NT, ATTORNEY, OR AGEN	Т				
Firm ör Individuel name	Nan Wu (Reg/No. 42 Gray Cary Ware & 1 153 Townsent/Surec	.360) Freidenrich 144 Sulte 800, San	zancisco, CA 94107					
Signature								
Date		6/	30/04					
	CE	RTIFICATE O	F TRANSM: SSION/MAIL	NG				
I hereby certify that this correspondence is being facsimile transmitted to the USIFTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:								
Typed or printed na	me Ta-Tanisha k.	Moore						
Signature	J. M.	one	Date	June 30,7004				
by the USPTO to pr	ccess) an application. Ci	onidentiality is gov	remed by 35 L S.U. 122 and 37	tain a benefit by the public which is to file (and CFR 1.14. This collection is estimated to 12 to the USPTO, Time will vary depending uppr				

This collection of Information is required by 37 CFR 1.5. The information is required by 38 L S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 inhutes to complete, including gathering, preparing, and submitting the complete 13 application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complet this form and/or suggestions for reducing this purden, should be sent to the Chief Information Officer. U.S. Patent and Trademark Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADD RESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1 800-PTO-9199 and select option 2.

PTO/SB/17 (10-03) Approved for use through 07/31/2008, OMB 0651-0032 Nent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a cultoction of information unless it displays a valid OMB control number.									
FEE TRANSMITTA		Complete if Known							
		Appli	catio	Numb	er	09/881,8	23		
for FY 2004	Г	Filing Date			June 15,	June 15, 2001			
Effective 10/01/2003. Patent fees are subject to annual revision	on.	First	Nam	d Inve	ntor	Wenyna	n Shi		
Applicant dalms small entity status. See 37 CFR 1.2	7	Exan	niner (lame		Robert 2	Zeman		
		Art U	nit			1645			
TOTAL AMOUNT OF PAYMENT (\$) \$1,280	0.00	Attor	ney [ocket l	No.	2101363	-991100		
METHOD OF PAYMENT (check all that apply)				FE	E CA	LCULAT	ION (co	nlinued)	
Check Credit card Money Other None				FEES	,				
Deposit Account	Lame i Fee	ntity Fee	Sma: Fee	LECTIV Fee	•	Eas D	escriptic	\n	Fee Paid
Deposit Account 07-1896	Code 1051	(\$) 130	Corte 2051	(\$) 85	Surchs	arge - Iste fi	-		
Number 07-1890	1052	50	20/12				_	filing fee or cover	
Account Account Gray Cary Ware & Freidenrich		*			sheet			J	
Name Clay City Visit Control	1053	130	1053			English spe		de roovemination	
The Director is authorized to: (check all that apply)		2,520				•	•	rte reexamination R prior to Examiner	
Charge Iee(x) Indicated below Credit any overpayments	1804	920*	1804		action			-	
Charge any additional fee(s) or any underpayment of fee(s)	1805	1,840*	1805	1,840*	Requé action		ation of Si	R after Examiner	
Charge fee(s) Indicated below, except for the filling foc to the above-Identified deposit account.	1251	110	2251	55		sion for repl	y within fir	st month	
FEE CALCULATION	1252	420	2252	210	Extens	sion for repl	y wilhin se	cond month	
1. BASIC FILING FEE	1253	950	2255	475	Extens	sion for repl	y within thi	lrd month	950,00
Jarge Entity Small Entity	1254	1,480	2254	740	Extens	sion for repl	y within for	urth month	
Fee Fee Fee Fee Description	1255	2,010	2255	1,005	Extens	sion for repl	y within iifi	h monih	
Code (\$) Code (\$) Fee Falu	1401	330	2401	165	Notice	of Appeal			330.00
1002 340 2002 170 Design filling fee	1402	330	2401		_	a brief in Su		n appeal	
1003 530 2003 265 Plant filling fee]	1403	290	24 00			est for one in		·	
1004 770 2004 385 Relssue filing fee		1,510	1451					use proceeding	
1005 160 2005 80 Provisional filing fee	1452	110	2452			n to revive ·			
SUBTOTAL (1) (\$)		1,330	2450			n to revive :		ouai	
2. EXTRA CLAIM FEES FOR UTILITY AND		1,330	250° 250°			is:ve fee (o n issus fee	# 1 0 106109)		
Fee from Extra Claims below Fee Paid	1502 1503	450 640	2503		_	BEUB 188			
Total Claims	1460	130	1460			ns to the Co	ommission	er	
Independent 3** = 0 X =	1807	50	1807					R§ 1.17(q)	
Multiple Dependent =	1806	180	180ŧ		Şubmi	ission of Inf			
Large Entity Small Entity Fee Fee Fee Fee Fee Description					Staten	nent		nment per property	
Code (\$) Code (\$)	8021	40	802		(times	unimper of	broberties)		
1202 18 2202 B Claims in excess of 20	1808	770	2009	385		a submissic FR § 1.129		al rejection	
1201 86 2201 43 Independent claims in excess of 3	1810	770	2610	385	For ea	ich addition	al Inventio	n to be examined	
1203 290 2203 145 Multiple dependent claim, it not paid	1801	770	280	385		FR § 1.129 sat for Conti		nination (RCE)	
1204 86 2204 43 Reissus independent dalms over original patent	1802		180:		-	est for expe			
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent			,			ssign applic			
	Çith	erfee (epeca	¹	_				
	**or number previously paid, if greater, For Reissucs, see shope Meduced by Basic Filing Fee Paid SUBTOTAL (3) (5) \$1,280.00								
	4/				_		lamplete *		
SUBMITTED BY Complete (# spplicable) Registration 1.6 at 260 Telephone (415, 926, 200)									
Name (Frint/Type) Nam Wu		(Attorne)			43,3	164)	Telephone	(415) 836-2	2
Signature	•					1	Date	6/30/	060

WARNING Information on this form may become publi ... Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is no quired to obtain or retain a benefit by the public which is to file (end by the USPTO to process) an application. Confidentiallty is governed by 35 U.S.C. 122 and 1.7 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the IK \$10. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reduring this burden, should be sent to the Chief Information Officer, U.S. Petant and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2313-1450.

PTO/SB/17 (10-03)

Approved for uso (hrough 07/31/2006, OMB 0851-	-003:
Patent and Tradiament Office: U.S. DEPARTMENT OF COMME	RCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a callection of information unless it displays a valid OMB control nur	mber
	_

(FEE TRANSMITT/	Complete if Known								
		Application Number			ber	09/881,823			
for FY 2004		Filing Date				June 15, 2001			
Effective 10/01/2003. Palent fees are subject to annual re-	ision.			d Inve	entor	Wenyuan Shi			
Applicant claims small entity status. See 37 CFR	1.27			Robert Zeman					
The state of the s	20.00	Art U				1645		· · · · · · · · · · · · · · · · · · ·	
TOTAL AMOUNT OF PAYMENT (\$) \$1,3	80.00	Attor	ney C	osket	Nφ.	2101363-99110	0	/	
METHOD OF PAYMENT (check all that apply)				FE	E CA	LCULATION (continued)		
Check Credit card Order Other Nonc		DDITIO							
Deposil Account:	Laruc Fee	Enlity_ Fee	Sna!	i initity	L	Fee Descrip	tion	Fee Paid	
Deposil Account 07-1896	105		2051		Surch	arge - late filing fee		FECTAIG	
Number	105		201-2	25		-	al filing fee or cover		
Account Gray Cary Ware & Freidenrich	105	3 130	1053	130	sheet	English specification			
Name	-	2 2,520	1	7,520		-	ρarte reexamination	<u></u>	
The Oirector is authorized to: (check all that apply) Charge (se(s) indicated below Credit any swerpayments	180		1804		Reque		SIR prior to Examine	, =====================================	
Charge any additional fee(s) or any underpayment of fee(s)	į	5 1,840*			Reque	sting oublication of	SIR after Examiner		
Charge fee(s) indicated below, except for the filling fee	ı	-			action			<u></u>	
to the above-identified deposit account.	125		2251 2252	55 210		sion for reply within sion for reply within			
FEE CALCULATION	125		2253	475		sion for reply within		950.00	
1. BASIC FILING FEE		4 1,480	221.4	740		sion for reply within		53.00	
Large Entity Small Entity Fee Fee Fee Fee Description Caronida Caroni		5 2,010	2255	1,005		oon for reply within			
Code (\$) Code (\$) Fee Paid 1001 770 2001 385 Utility filing fee	- 140 ⁻	1 330	2401	165	Notice	of Appeal		330.00	
1002 340 2002 170 Design filling fee	140	2 330	2402	165	Filing a	lo hoqque ni lend e	an appeal		
1003 530 2003 285 Plant filing fee	1403	3 290	2403	145	Reque	grineed leno not te			
1004 770 2004 385 Reissue filing fee	145	1 1,510				n to institute à publi	•		
1005 160 2005 80 Provisional filing fee	1452		2452			n to revive - unavole		<u> </u>	
SUBTOTAL (1) (\$)	JI	3 1,330	2463 2501	(165 665		n to revive - uninten Issue fee (or reissue			
2. EXTRA CLAIM FEES FOR UTILITY AND	1502	1 1,330 2 480	2502		-	issue fee	- ,		
Fee from Extra Claims bolow Fee Pa			2503		-	ssue fee	•		
Total Claims	1460		146.0	130	Pelitio	ns to the Commission	oner		
Independent	0] -1 1507	7 50	1807	50	Proces	ssing fee under 37 (CFR § 1.17(q)		
Large Entity Small Entity	1806	180	1806	180	Submi Staten	ssion of Information	Disclosure		
Fee Fee Fee Fee Fee Doscription	802	1 40	8071	40	Record	fing each patent as	signment per property	, ===	
Code (\$) Code (\$) 1202 18 2302 9 Claims in excess of 20	1809	9 770	2809	TIAS	•	number of propertie s submission after fi			
1201 86 2201 43 Independent claims in excess of 3					(37 CF	R § 1.129(a))			
1203 290 2203 145 Multiple dependent daim, if not pa	ia 1810	770	2810	₹85		ch addilional invent R § 1.129(b))	ю во ехативе		
1204 86 2204 43 ** Reissue independent claims over original patent	180		2801		•	st for Continued Ex			
1205 18 2205 9 Reissue claims in excess of 20	180	2 900	1802	000	Reque of a do	st for expedited exa sign application	mination		
and over original patent	Ot	her fec (specify	·					
SUBTOTAL (2) (\$) \$0.00	SUBTOTAL (2) (5) \$0.00								
"or number previously paid, if greater; For Reissues, see alloy		educed t	y Basi	Filling	Fee Pa	lø SUBTO	OTAL (3) (\$).	\$1,280.00	
	//					Complete	(ď applicable)		
Name (Print/Type) Nym Wu	/	Registra		Т	43,3			Z500	
		(Attorne)	#Agent)	-1				1	
Signature // /	, 					Date	6/30/	<u> </u>	
WARNING Information on this form	may be	come	ublic	Cred	it card	l information sh	ould /	•	

not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 3. CFR 1.14. This collection is estimated to take 12 minutes to complete, including gethering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 2313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 2313-1450.

PAGE 4/25* RCVD AT 6/30/2004 6:40:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:415 836 2501 * DURATION (mm-ss):07-08

AMENDIA Applicant(s): Wen		Docket No. 2101363-991100							
Serial No. Filing Date 09/881,823 June 15, 2001			Examiner Robert Zeman		Group Art Unit 1645				
	MOLECULES AND R NOCLONAL ANTIBO		ONA MOLF CULES FOR I	PRODUCT	NG				
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.									
		CLAIMS A	S AMEND ED						
	CLAIMS REMAINING	HIGHEST #	NUMBER EXTRA CLAIMS PRESENT	RATE	AQDITIONAL FEE				
TOTAL CLAIMS	29 -	44 =		x \$18	.00 \$0.00				
INDEP. CLAIMS	2 -	3 =	0	x \$86	.00 \$0.00				
Multiple Dependent	Claims (check if appl	icable)			\$0.00				
☐ Please cha☐ A check in☐ The Directo	ation or credit any over diditional filing fees received application process of the second se	No. 07-1896 to cover the d to charge payme rpayment to Depo	F.R. 1.16. 37 CFR 1 17. Dated: Cartify that this class mail under for 12:stents, P.O. Box	document a with 37C.F.R. 1. 1450, ALexa	ailing Correspondence				
cc.	See attached facsimile certificate								
CC: Typed or Printed Name of Person Mailing Correspondence									

AMENDMENT TRANSMITTAL LETTER (Large I ntity) Applicant(s): Wenyuan Shi, et al.								Docket No. 2101363-991100	
Serial No. 09/881,823	1			Examiner Robert Zeman			Group Art Unit 1645		
Invention: DNA MOLECULES AND RECOMBINANT DNA MOLECULES FOR PRODUCING HUMANIZED MONOCLONAL ANTIBODIES TO S. MUTANS									
TO THE COMMISSIONER FOLE PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.									
The lee that odds.			CLAIMS A		= == ===== == ol D				
		S REMAINING AMENDMENT	HIGHEST #	NL	MBER EXTRA		RATE	ADDITIONAL FEE	
TOTAL CLAIMS	2		44 =		0	×	\$18.00		
INDEP, CLAIMS		2 -	3 =		0	×	\$86.00	\$0.00	
Multiple Depender	nt Claim	s (check if appli	cable)					\$0.00	
☐ Please ch☐ A check in☐ The Direct communic ☐ Any a	arge De the arriver is he cation or addition patent a cate of the	ereby authorized or credit any over al filing fees required to proze the conficulty of the conficulty	lo. 07-1896	e filing fee ent of the osit Accou F.R. 1.16 37 CFR	n: No 7. c. rufy that this is: mail under I albents, P.O. Bo	docu 37C.1	iment and fe with the F.R. 1.8 a, ALexandria	this e is being deposited on U.S. Postal Service as first not is addressed to the a. VA 22313-1460.	
Sce attached facsimile certificate									
Typed or Printed Name of Person Mailing Correspondence									

CERTIFICATE OF Applicant(s): Wenyuan S	TRANSMISSION BY FAC	SIMILE (37 CFR 1.8)		set No. 3-991100
Serial No. 09/881,823	Filing Date June 15, 2001	Gro	oup Art Unit 1645	
Invention: DNA MOLE MONOCLONAL ANTIBO	CULES AND RECOMBINANT	DNA MOLICULES FOR PR	ODUCING HUM	ANIZED
I hereby certify that this	Ame	ndment Transmittal (Large En (Identify type of correspondence)	tity)	
is being facsimile transm	nitted to the United States Patent		No. (703) 872-93	106
on June 30,	2004		· ·	
(Date)				
		Ta-Tanisha l		e)
-	·	(Signatur	·e)	
			,	
	Note: Each paper must b	ave its own e rtificate of mailing.		
·				
	•			
	<u> </u>			



RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER JUN 3 0 2004

Application No.	: 09/881,823	Confirmation No. 8957
Applicants	: Shi et al.	
Filed	: June 15, 2001)
Group Art Unit	: 1645) THRTIFICATION UNDER 37 CFR § 1.8
Examiner	: Robert Zeman	I here no certify that this correspondence is being facsimile transm tail to the United States Patent and Trademark Office to:
Attorney Docket No	o. : S/A II (2101363/991100)	'
Customer No.	: 29585)
		Moore (Nam: of derson modifie paper)
For: DNA MOLEC	CULES AND RECOMBINANT	(National Classific Paper)
DNA MOLEC	CULES FOR PRODUCING) Signature
HUMANIZEI	D MONOCLONAL ANTIBODIES	
TO S. MUTAI	NS .	,

Box: AF

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

AMENDMENT RESPONSE TO THE FINAL OFFICE ACTION

In response to the final Office Action of January 2, 2004, please amend the aboveidentified application as follows:

Amendments to the Specification None

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings: None

Remarks/Arguments begin on page 6 of this paper.

An Appendix including Exhibit A and Exhibit B is attached following page 9 of this paper.

Gray Cary\\$F\3101902.1 2101363-991100